

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JANET E. MASCIONTONIO, et al.,	:	CIVIL ACTION NO. 4:13-CV-797
	:	
Plaintiffs	:	(Chief Judge Conner)
	:	
v.	:	
	:	
SWEPI LP,	:	
	:	
Defendant	:	

ORDER & JUDGMENT

AND NOW, this 15th day of July, 2016, upon consideration of the cross-motions (Docs. 57, 60) for summary judgment by plaintiffs Janet E. Masciantonio and Martin J. Masciantonio, individually, and Paul R. Latshaw and Paul B. Latshaw, in their capacities as co-trustees of the Phyllis E. Latshaw Residuary Trust Created Under the Will of Phyllis E. Latshaw, and defendant SWEPI LP (“SWEPI”), respectively, and for the reasons set forth in the accompanying memorandum, it is hereby ORDERED that:

1. SWEPI’s motion (Doc. 60) for summary judgment is DENIED.
2. Plaintiffs’ motion (Doc. 57) for summary judgment is GRANTED.
3. Judgment is ENTERED in favor of plaintiffs and against SWEPI in the amount of \$4,144,000.00, with interest, as follows:
 - a. \$2,072,000.00 to be paid to plaintiffs Janet E. Masciantonio and Martin J. Masciantonio; and
 - b. \$2,072,000.00 to be paid to plaintiffs Paul R. Latshaw and Paul B. Latshaw, in their capacities as co-trustees of the Phyllis E. Latshaw Residuary Trust Created Under the Will of Phyllis E. Latshaw.

4. Plaintiffs' alternative count for fraudulent inducement is DISMISSED.
5. The Clerk of Court is directed to CLOSE this case.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania